

72746 – Two Tubs Inn, 19 The Wylde, Bury.

Installation of a fabricated safety walkway and external staircase; Alteration to existing window to form doorway.

Grade II listed public house formerly the Globe Inn. Of uncertain age. Has 19th century render on 18th century brick cladding to a partial or complete timber frame, possibly dating from the 17th century or earlier. Two storey original with single storey 20th century courtyard infill development at the rear. Three sash windows (lower left-hand a double width pair). Doorway framed by early C19 canopy on slender Ionic columns to right of paired window, backing on chimney. Two small sliding sash windows in left gable. Stone slab roof. Tall stacks including gable ones.

The application site is within Bury town centre conservation area. The proposed development would be within the setting of the application building - The Two Tubs Inn a grade II listed building, the grade I listed St Mary's church and the grade II listed Castle Armoury, grade II listed statue of Sir Robert Peel and two non-designated heritage assets on The Wylde; The Robert Peel and The Wylde public houses.

An application for listed building consent, 72747 will assess the impact of the proposed development on the significance of the Grade II listed public house and other nearby heritage assets.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states:

In the exercise, with respect to any buildings or other land in a conservation area, any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

EN2/1 - Character of Conservation Areas

The Council will take action as appropriate to preserve or enhance the character or appearance of the Borough's Conservation Areas.

The Council will be especially concerned with encouraging and, where appropriate, implementing measures to:

- retain, replace and restore features of historical and architectural interest;
- retain and enhance existing landscape features including trees, parks and gardens;
- initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes;
- remove dereliction and bring unused land or buildings back into beneficial use;

- prepare and promote design guidelines to ensure sympathetic development.

EN2/2 - Conservation Area Control

Development within a Conservation Area will only be acceptable if it preserves or enhances the special character or appearance of the area. In considering proposals for development in Conservation Areas, regard will be had to the following criteria:

- the nature of the development in terms of its bulk, height, materials, colour, design and detailing;
- the relationship between the proposed development and the architectural and visual qualities of the surrounding area;
- where demolition is proposed, the contribution of any proposed new building to the character or appearance of the area as compared to the building to be demolished;
- in the case of the re-use of buildings or the introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the existing building.

EN2/3 - Listed Buildings

The Council will actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features. Proposals for demolition will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained. In considering applications for Listed Building Consent, the Council will have regard to the following criteria: a) the impact of the proposal on the historic fabric of the building;

- the relationship of any extension to the Listed Building in terms of its height, size, design, and roofscape;
- the need to protect the setting of the Listed Building;
- the impact of associated ancillary facilities and infrastructure work.

Paragraph 202 of the National Planning Policy Framework (NPPF) states that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 210 of the NPPF states in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 212 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 213 of the NPPF states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 214 states where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Places for Everyone Joint Development Plan - Policy JP-P2: Heritage:

We will proactively manage and work with partners to positively conserve, sustain and enhance our historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct character, identity and sense of place.

The proposed development is to provide an over roof means of escape in case of fire. The requirement has been identified by the Applicants' estate survey showing a need for an alternative means of escape for the occupants of the public house who occupy as living space the first floor.

The development consists of the replacement and opening up of a non-historic window opening on the rear elevation at the first floor with a thirty minute fire door, a mild steel door exit landing plate, 1200mm x 1200mm, a single key clamp handrail to the right of the exit plate 1100mm high with a length of 1200mm, a mild steel walkway north along the single storey flat roof to the north elevation terminating at a caged drop down ladder with pin action constructed from galvanised steel.

The proposed development would have no visibility from public realm areas from the west, south or eastern areas surrounding the public house or from longer distances. There would only be limited views from the properties to the north of the site. There would be limited filtered views of the development from the northeast through the railings and across the beer garden area at the side of the public house, where the development would be on the elevation stepped back from the two storey gable end.

With regard to the settings of the listed buildings identified there would only be very filtered intervisibility with the Grade I St Mary's Church. The development would not be viewed within the settings of the other heritage assets identified. Because of its limited impact the proposal would represent less than substantial harm at the moderate end of that scale on the setting of the Grade I listed church and less than substantial harm on the character and appearance of the Bury town centre conservation area. There would be a public benefit of keeping a public house in use and conservating its heritage significance compatible with its use. This would also preserve the contribution the building makes to the character and appearance of the conservation area.

Conservation Officer

16/3/26